



ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2009-1017; FRL-9378-9]

Notice of Receipt of Requests to Voluntarily Cancel Certain Pesticide Registrations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In accordance with the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is issuing a notice of receipt of requests by registrants to voluntarily cancel certain pesticide registrations. EPA intends to grant these requests at the close of the comment period for this announcement unless the Agency receives substantive comments within the comment period that would merit its further review of the requests, or unless a registrant withdraws its request. If these requests are granted, any sale, distribution, or use of products listed in this notice will be permitted after the registration has been cancelled only if such sale, distribution, or use is consistent with the terms as described in any final cancellation order.

DATES: Comments must be received on or before *[insert date 30 days after date of publication in the Federal Register]*.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2009-1017, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001.

Submit written withdrawal request by mail to: Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001. ATTN: John W. Pates, Jr.

- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at <http://www.epa.gov/dockets/contacts.htm>.

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <http://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT: John W. Pates, Jr., Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001; telephone number: (703) 308–8195; email address: pates.john@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides.

B. What Should I Consider as I Prepare My Comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through regulations.gov or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD-ROM that you mail to EPA, mark the outside of the disk or CD-ROM as CBI and then identify electronically within the disk or CD-ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When submitting comments, remember to:

- i. Identify the document by docket ID number and other identifying information (subject heading, **Federal Register** date and page number).

- ii. Follow directions. The Agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.

- iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.

- iv. Describe any assumptions and provide any technical information and/or data that you used.

- v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.

- vi. Provide specific examples to illustrate your concerns and suggest alternatives.

vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

viii. Make sure to submit your comments by the comment period deadline identified.

II. What Action is the Agency Taking?

This notice announces receipt by the Agency of requests from registrants to cancel 39 pesticide products registered under FIFRA section 3 or 24(c). These registrations are listed in sequence by registration number (or company number and 24(c) number) in Table 1 of this unit.

Unless the Agency determines that there are substantive comments that warrant further review of the requests or a registrant withdraws its request, EPA intends to issue an order in the **Federal Register** canceling all of the affected registrations.

Table 1.—Registrations with Pending Requests for Cancellation

Registration No.	Product Name	Chemical Name
000279-03153	Firstline Termite Bait Station	Sulfluramid
000279-03170	Firstline Termite Bait Tube Station	Sulfluramid
000279-03171	Firstline Termite Bait Container Station	Sulfluramid
000279-03196	Firstline GT Plus Termite Bait Station	Sulfluramid
000432-01334	Tempo Liquid Concentrate	Cyfluthrin
000432-01358	Tempo 20% Dry Concentrate	Cyfluthrin
000499-00518	Prescription Treatment Brand 2% Propoxur Bait	Propoxur
000499-00532	TC 277	Piperonyl butoxide, Pyrethrins (No Inert Use)
007173-00283	Difethialone Bait Station	Difethialone
007173-00285	Difethialone 6G Paste Place Packs	Difethialone
007946-00010	Inject-A-Cide	Oxydemeton-methyl
009404-00087	Permethrin 0.25% Insecticide Granules	Permethrin

009404-00088	Sunniland Chinch Bug & Mole Cricket Spray	Permethrin
010163-00219	MSR 50% Concentrate Insecticide	Oxydemeton-methyl
010163-00220	MSR Spray Concentrate	Oxydemeton-methyl
39959-00001	A-106	Poly(oxy-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl dichloride)
039959-00002	7618	Poly(oxy-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl dichloride)
039959-00003	7619	Poly(oxy-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl dichloride)
045385-00001	Chem-Tox Roach and Ant Spray with Baygon	Propoxur, Piperonyl butoxide, Pyrethrins (No Inert Use)
045385-00025	Chem-Tox Pyronox Dual 0.1	MGK 264, Piperonyl butoxide, Pyrethrins (No Inert Use)
045385-00082	Cenol Small Animal and Kennel Spray	Piperonyl butoxide, Pyrethrins (No Inert Use)
046043-00031	Suncoast's Pool Algaecide 20	Poly(oxy-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl dichloride)
047000-00168	R & M Permethrin Flea & Tick Dip #1	Permethrin
060061-00017	Woodtreat C8 Concentrate	Copper, bis(8-quinolinolato-N1,O8)-
060061-00018	Woodtreat C8 Ready To Use	Copper, bis(8-quinolinolato-N1,O8)-
060061-00022	Woodtreat C81 Ready To Use Water Repellent Fungicide	Copper, bis(8-quinolinolato-N1,O8)-
064014-00009	Harpoon	Oxydemeton-methyl
074601-00001	Chlorothalonil Technical Fungicide	Chlorothalonil
085905-00005	CFL 3% Diflubenzuron Feedthrough	Diflubenzuron
086869-00002	Propiconazole Select	Propiconazole

CA010003	MSR Spray Concentrate	Oxydemeton-methyl
FL960006	Metasystox-R-Spray Concentrate	Oxydemeton-methyl
ID010011	Metasystox-R-Spray Concentrate	Oxydemeton-methyl
ME070001	Devrinol 50-DF	Napropamide
MI070004	Kerb 50-W	Propyzamide
NY030002	Metasystox-R-Spray Concentrate	Oxydemeton-methyl
WA030001	Metasystox-R-Spray Concentrate	Oxydemeton-methyl
WA030002	Metasystox-R-Spray Concentrate	Oxydemeton-methyl
WA060005	MSR Spray Concentrate	Oxydemeton-methyl

Table 2 of this unit includes the names and addresses of record for all registrants of the products in Table 1 of this unit, in sequence by EPA company number. This number corresponds to the first part of the EPA registration numbers of the products listed in this unit.

Table 2.—Registrants Requesting Voluntary Cancellation

EPA Company No.	Company Name and Address
279	FMC Corp., Agricultural Products Group 1735 Market St. Room 1978 Philadelphia, PA 19103
432	Bayer Environmental Science 2 T.W. Alexander Dr. P.O. Box 12014 Research Triangle Park, NC 27709
499	Whitmore Micro-Gen Research Laboratories, Inc. Agent: BASF Corporation 3568 Tree Court Industrial Blvd. St. Louis, MO 63122-6682
7173	Liphatech, Inc. 3600 W. Elm St. Milwaukee, WI 53209

7946	J.J. Mauget Co. Agent: Scireg, Inc. 12733 Director's Loop Woodbridge, VA 22192
9404	Sunniland Corporation P.O. Box 8001 Sanford, FL 32772-8001
10163	Gowan Company P.O. Box 5569 Yuma, AZ 85366-8844
39959	Chemicals, Inc. 13560 Colombard Court Fontana, CA 92337
45385	CTX-Cenol, Inc. Agent: H.R. Mclane, Inc. 7210 Red Rd. Suite 206A Miami, FL 33143
46043	Suncoast Chemicals Co. 14480 62nd St. N. Clearwater, FL 33760
47000	Chem-Tech, Ltd. 4515 Fleur Dr. #303 Des Moines, IA
60061	Kop-Coat, Inc. 3020 William Pitt Way Pittsburgh, PA 15238
64014	Florida Silvics, Inc. d/b/a Tree Tech Microinjection Systems 950 S.E. 215th Ave. Morrison, FL 32668
74601	Oxon Italia S.P.A. Agent: Lewis & Harrison, LLC 122 C St., NW., Suite 740 Washington, DC 20001
81880	Canyon Group, LLC c/o Gowan Company 370 S. Main St. Yuma, AZ 85364
85905	Champion Farmaquimico, LTDA Agent: J&T Associates, LLC 4061 North 156th Dr.

	Goodyear, AZ 85395
86869	Select Source, LLC Agent: Wagner Regulatory Associates, Inc. P.O. Box 640 Hockessin, DE 19707
88058	Orion Ato, LLC Agent: Source Dynamics LLC S122230 E. Del Norte Yuma, AZ 85377–7355
CA010003, FL960006, ID010011, NY030002, WA030001, WA030002, WA060005	Gowan Company P.O. Box 5569 Yuma, AZ 85366–8844
ME070001	United Phosphorus, Inc. 630 Freedom Business Center, Suite 402 King of Prussia, PA 19406
MI070004	Dow AgroSciences, LLC 9330 Zionsville Rd., 308/2E Indianapolis, IN 46268–1054

III. What is the Agency's Authority for Taking this Action?

Section 6(f)(1) of FIFRA provides that a registrant of a pesticide product may at any time request that any of its pesticide registrations be canceled. FIFRA further provides that, before acting on the request, EPA must publish a notice of receipt of any such request in the **Federal Register**.

Section 6(f)(1)(B) of FIFRA requires that before acting on a request for voluntary cancellation, EPA must provide a 30–day public comment period on the request for voluntary cancellation or use termination. In addition, FIFRA section 6(f)(1)(C) requires that EPA provide a 180–day comment period on a request for voluntary cancellation or termination of any minor agricultural use before granting the request, unless:

1. The registrants request a waiver of the comment period or,

2. The EPA Administrator determines that continued use of the pesticide would pose an unreasonable adverse effect on the environment.

The registrants in Table 2 of Unit II. have requested that EPA waive the 180-day comment period. Accordingly, EPA will provide a 30-day comment period on the proposed requests.

IV. Procedures for Withdrawal of Request

Registrants who choose to withdraw a request for cancellation should submit such withdrawal in writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. If the products have been subject to a previous cancellation action, the effective date of cancellation and all other provisions of any earlier cancellation action are controlling.

V. Provisions for Disposition of Existing Stocks

Existing stocks are those stocks of registered pesticide products that are in the United States and that were packaged, labeled, and released for shipment prior to the effective date of the cancellation action.

For Products 007173-00283 and 007173-00285:

Because the Agency has identified significant potential risk concerns associated with these pesticide products, upon cancellation EPA intends to issue a cancellation order prohibiting sale or distribution of existing stocks by the registrant, except for export consistent with FIFRA section 17 or for proper disposal. Persons other than the registrant will be allowed to sell or distribute existing stocks of products, until such stocks are exhausted. Users will be allowed to use existing stocks regardless of date of purchase

until such stocks are exhausted, provided that such use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled product.

For all other products identified in Table 1 of Unit II:

Because the Agency has identified no significant potential risk concerns associated with these pesticide products, upon cancellation of the products identified in Table 1 of Unit II., EPA anticipates allowing registrants to sell and distribute existing stocks of these products for 1 year after publication of the Cancellation Order in the **Federal Register**. Thereafter, registrants will be prohibited from selling or distributing the pesticides identified in Table 1 of Unit II., except for export consistent with FIFRA section 17 or for proper disposal. Persons other than registrants will generally be allowed to sell, distribute, or use existing stocks until such stocks are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled products.

List of Subjects

Environmental protection, Pesticides and pests.

Dated: February 12, 2013

Richard P. Keigwin, Jr.

Director, Pesticide Re-Evaluation Division, Office of Pesticide Programs.

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